

AMENDED IN ASSEMBLY MAY 24, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 199

Introduced by Assembly Member Holden

January 29, 2013

An act to add Chapter 7 (commencing with Section 58595) to *Part 1* of Division 21 of the Food and Agricultural Code, ~~and to amend Sections 4330 and 4331 of the Government Code~~, relating to institutional purchasers of agricultural products.

LEGISLATIVE COUNSEL'S DIGEST

AB 199, as amended, Holden. Institutional purchasers: sale of California produce.

Under existing law, price, fitness, and quality being equal, any body, officer, or other person charged with the purchase, or permitted or authorized to purchase supplies for the use of the state, or of any of its institutions or offices, or for the use of any county or city, is required to always prefer supplies, defined to include produce, that are grown, manufactured, or produced in the state, and is required to next prefer supplies partially manufactured, grown, or produced in the state.

~~This bill would remove supplies grown or partially grown in the state from this requirement and produce from the definition of supplies. This bill, the Choose California Act, would instead require agricultural products grown, or packed or processed, in California to be purchased by all California state-owned or state-run institutions, except schools or school districts, before out-of-state agricultural products, as specified. This bill would require California public schools and school districts to purchase agricultural products grown in California before those that~~

are grown out-of-state as long as the price does not exceed the lowest bid or price for an out-of-state product.

This bill would encourage all California state-owned or state-run institutions and all public universities, public schools, and school districts in California to purchase agricultural products grown in California to the extent possible.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. This act shall be known, and may be cited, as the~~
2 ~~Choose California Act.~~

3 ~~SEC. 2. Chapter 7 (commencing with Section 58595) is added~~
4 ~~to Division 21 of the Food and Agricultural Code, to read:~~

5 ~~SECTION 1. Chapter 7 (commencing with Section 58595) is~~
6 ~~added to Part 1 of Division 21 of the Food and Agricultural Code,~~
7 ~~to read:~~

8
9 CHAPTER 7. INSTITUTIONAL PURCHASERS

10
11 58595. All California state-owned or state-run institutions;
12 ~~except schools or~~ *and all public universities, public schools, and*
13 ~~school districts, shall in California are encouraged to purchase~~
14 ~~agricultural products grown in California before those that are~~
15 ~~grown outside the state if the following criteria are met: to the~~
16 ~~extent possible.~~

17 ~~(a) The bids for providing the California grown products or the~~
18 ~~prices quoted for them do not exceed by more than 5 percent the~~
19 ~~lowest bids or prices quoted for products produced outside the~~
20 ~~state.~~

21 ~~(b) If there are no California-grown agricultural products that~~
22 ~~meet the criteria in subdivision (a), then the bid shall go to a~~
23 ~~California company that packs or processes its products in the~~
24 ~~state, as long as the price quoted by the California company does~~
25 ~~not exceed by more than 5 percent the lowest bid or price quoted~~
26 ~~for out-of-state products.~~

27 58596. All California public schools and school districts shall
28 ~~purchase agricultural products grown in California before those~~
29 ~~that are grown outside the state as long as the price quoted by the~~

1 California company does not exceed the lowest bid or price quoted
2 for an out-of-state product.

3 ~~SEC. 3. Section 4330 of the Government Code is amended to~~
4 ~~read:~~

5 ~~4330. As used in this article, “supplies” includes goods, wares,~~
6 ~~merchandise, and manufactures.~~

7 ~~SEC. 4. Section 4331 of the Government Code is amended to~~
8 ~~read:~~

9 ~~4331. Price, fitness, and quality being equal, any body, officer,~~
10 ~~or other person charged with the purchase, or permitted or~~
11 ~~authorized to purchase supplies for the use of the state, or of any~~
12 ~~of its institutions or offices, or for the use of any county or city,~~
13 ~~shall always prefer supplies manufactured or produced in the state,~~
14 ~~and shall next prefer supplies partially manufactured or produced~~
15 ~~in the state.~~

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